

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

*In Re: Platinum And Palladium Commodities  
Litigation*

This Document Relates To:

Platinum/Palladium Physical Class

MASTER FILE  
No. 10 Civ. 3617 (WHP)

**JURY TRIAL DEMANDED**

**PHYSICAL PLAINTIFFS'  
UNOPPOSED MOTION FOR  
PAGE EXTENSION**

Pursuant to Chambers Rule III C, plaintiffs F.W. DeVito, Inc. Retirement Plan Trust, Frederick and Mary DeVito, David W. DeVito and Russell W. Andrews (together, “Physical Plaintiffs”) hereby submit this motion for leave to file oversized memorandum related to their motion for preliminary approval of MF Global class action settlement:

WHEREAS, pursuant to the Stipulation Of Settlement, Physical Plaintiffs have until five business days after execution of the settlement to file their motions for preliminary approval of class action settlement, which is October 29, 2014;

WHEREAS, pursuant to Chambers Rule III C, briefs or memoranda of law in support of or in opposition to motions are limited to twenty-five (25) pages, and reply memoranda are limited to ten (10) pages unless prior permission has been granted;

WHEREAS, good cause exists to grant leave to file an oversized brief because this memorandum concerns the proposed settlement of a nationwide putative class action lawsuit involving complex antitrust, RICO, and fraud claims. Additional pages are requested for counsel (i) to provide a full description of the proposed settlement and to show it is fair, reasonable, and adequate, (ii) to show the proposed settlement class meets the requirements of Rule 23 of the Federal Rules of Civil Procedure for preliminary certification of a settlement class, and (iii) to demonstrate the proposed class notice complies with Due Process and Rule 23;

WHEREAS, the defendants do not oppose the filing of an oversized brief in excess of the

page limits specified by Chambers Rule III C to adequately address the issues concerning preliminary approval and settlement briefing in this matter.

NOW THEREFORE, Plaintiffs hereby move for leave from the existing page limits specified in Chambers Rule III C and request the page limit be extended so that the page limit for Physicals Plaintiffs memorandum in support of preliminary approval is 42 pages.

Dated: October 29, 2014

/s/ John A. Lowther

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